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5 Attorneys for Defendant

6  
7 IN THE UNITED STATES DISTRICT COURT  
8 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
9 OAKLAND DIVISION  
10

11 UNITED STATES OF AMERICA,	)	No. CR 11-00062 SBA
	)	
12 Plaintiff,	)	
	)	STIPULATION AND [PROPOSED]
13 v.	)	ORDER TO CONTINUE STATUS
	)	HEARING
14 DAGOBERTO GARCIA,	)	
	)	
15 Defendant.	)	

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17 Undersigned counsel for defendant Dagoberto Garcia was recently appointed to represent  
18 the defendant. At that time, the Magistrate Judge set an appearance before this Court for May  
19 17, 2011 for Status. This Court thereafter continued that appearance by Clerk's Notice to May  
20 24, 2011. Counsel for defendant had already set two appearances in San Francisco for the  
21 morning of May 24, 2011.  
22

23 Counsel for the government and defendant STIPULATE to continue the Status Hearing  
24 from May 24, 2011 to June 28, 2011 at 10:00 a.m. The parties further STIPULATE that the time  
25 from May 24, 2011 to June 28, 2011 should be excluded under 18 U.S.C. § 3161(h)(8)(B)(iv) to  
26 allow counsel for the defendant reasonable time necessary for effective preparation, given the  
27  
28

1 recent appointment and need to perform investigation, taking into account the exercise of due  
2 diligence.

3 IT IS SO STIPULATED.

4 DATED: May 20, 2011

\_\_\_\_\_  
/s/  
Christina McCall  
Assistant United States Attorney

7 DATED: May 20, 2011

\_\_\_\_\_  
/s/  
Scott A. Sugarman  
Attorney for Dagoberto Garcia

9  
10 SO ORDERED.

11 **ORDER**

12 Based on the reasons provided in the stipulation of the parties above, the Court hereby  
13 FINDS:

14 The ends of justice served by the granting of a continuance from May 24, 2011 until June  
15 28, 2011, outweigh the best interests of the public and the defendant in a speedy and public trial  
16 because additional investigation and review are necessary to the defense preparation of the case  
17 and effective preparation of counsel, taking into account the exercise of due diligence.

18 Based on these findings, IT IS HEREBY ORDERED that time be excluded under the  
19 Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(A) and (B)(iv) from May 24, 2011 until June 28, 2011.

20 IT IS FURTHER ORDERED that the STATUS HEARING date of May 24, 2011 is  
21 CONTINUED to June 28, 2011 at 10:00 a.m.

22  
23 DATE: 5-20-11

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*Saundra B. Armstrong*  
SAUNDRA BROWN ARMSTRONG  
UNITED STATES DISTRICT JUDGE